BAN WARREN, IN SHAW

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FORTAS CASE--D.A.

District Attorney Jim Garrison said today he will challenge the right of two U.S. Supreme Court justices to pass on efforts of Clay L. Shaw to avoid trial on charges of conspiring to assassinate President John F. Kennedy.

Yesterday, a three-judge federal panel barred Garrison from further prosecution of Shaw in state court until the high court can rule on Shaw's appeal. Shaw is seeking a permanent halt to the prosecution on grounds Garrison has violated his civil rights.

GARRISON TODAY said Chief Justice Earl Warren and Associate Justice Abe Fortas should take no part in hearing the appeal.

Warren, Garrison said, should be barred because of his role in heading President Lyndon B. Johnson's commission which investigated the case. Fortas, he said, should be ruled out because he is a "longtime personal friend of President Johnson."

Garrison said "Once again the federal court has reached down and prevented us from going to trial in the case of Clay Shaw. We do not agree with the court's position that there is any basis for more federal interference with the

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processes of justice in this case."

HE CHARGED that President Johnson "has participated actively in concealing vital evidence with regard to the murder of his predecessor."

Fortas, Garrison said, "played an active role in helping to conceal the truth from the American people, for it was he who helped work out for the President the creation of the Warren Commission whose findings have now been totally discredited."

He said Fortas "would not be free to look at the case objectively, nor would any other man who received his judge's robes from President Johnson."

WARREN, SAID Garrison, "played corner linebacker and captain of the President's defensive unit back in 1964. The American people are still trying to find the ball."

The Warren Commission reported that Lee Harvey Oswald acted alone in assassinating Kennedy. Garrison charges that Shaw, Oswald and others conspired to kill the President.